

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 OES-06 L-03 CIAE-00 COME-00 DODE-00

DOT-00 EB-07 FMC-01 INR-07 NSAE-00 SAL-01 CG-00

DLOS-06 TRSE-00 H-01 INT-05 AGRE-00 ARAE-00 /048 W

-----071506Z 104289 /46

P R 071330Z JAN 77

FM AMCONSUL GUAYAQUIL

TO SECSTATE WASHDC PRIORITY 5076

INFO AMEMBASSY

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EO 11652: N/A

TAGS: EFIS, PFOR, EC

SUBJ: OBTAINING FISHING LICENSES BY RADIO

REF: STATE 001925

1. IT OBVIOUS FROM COMMENT BY FELANDO ABOUT NOT UNDERSTANDING WHY BANK OF AMERICA (BOA) RELUCTANT TO ACT AS FULL AGENT, HE DOES NOT FULLY APPRECIATE LEGAL IMPLICATIONS OF ROLE OF AN AGENT AND EXACT PROCESS INVOLVED IN WHAT PHYSICALLY HAPPENS AFTER REQUEST FOR BANK TRANSFER OF FUNDS MADE.

2. BOA IS ANXIOUS TO BE OF SERVICE TO TUNA ASSOCIATION BUT NOT ANXIOUS TO BE SUED BY SOME IRATE CAPTAIN IF INEXPLICABLE DELAYS OCCUR. PHYSICAL PROCEDURE IS AS FOLLOWS AS WE SEE IT - (A) REQUEST BY RADIO FOR LICENSE IS RECEIVED, (B) AGENT (WHOEVER HE IS) GOES TO DIRECTORATE GENERAL OF FISHERIES TO OBTAIN APPLICATION FORM, (C) AGENT GOES TO BOA WITH APPLICATION FORM STATING AMOUNT OF LICENSE FEE, (D) BOA CHECKS LIST OF PARTICIPATING VESSELS AND IF ON LIST ISSUES DOLLAR CHECK IN AMOUNT SPECIFIED, (E) AGENT GOES TO CENTRAL BANK TO DEPOSIT DOLLAR IN-

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STRUMENT AND OBTAIN RECEIPT, (F) AGENT GOES TO FEES PAYMENT OFFICE AND DEPOSITS SUCRE CREDIT AND OBTAINS CERTIFICATION ON LICENSE APPLICATION THAT FEE IS PAID, (G) AGENT GOES BACK TO FISHERIES OFFICE WITH PAYMENT RECEIPT, (H) FISHERIES OFFICE PREPARES LICENSE AND NOTIFIES RADIO NAVAL THAT F/V "X" IS AUTHORIZED TO FISH, (I) AGENT HAS PHYSICAL POSSESSION OF APPROVED LICENSE

AND SENDS TO VESSEL'S HOME OFFICE OR HOLDS IF REQUESTED.
ALSO INSURES RADIO NAVAL TRANSMITS LICENSE INFORMATION.

3. BOA WILLING TO PROVIDE SERVICES MENTIONED ABOVE BUT ONLY FOR A FEE FOR EACH LICENSE OBTAINED AND ONLY IF TOLD TO DO SO BY HEAD OFFICE. FEE WOULD PROBABLY BE DOLLARS FOUR OR FIVE HUNDRED WITH WHICH BOA WOULD HIRE OUTSIDE PERSON TO PERFORM SERVICES ENUMERATED ABOVE. IF YULEE ACTS AS AGENT HIS FEE WOULD BE DOLLARS ONE HUNDRED EIGHTY. YULEE ALREADY WELL EXPERIENCED IN PROCEDURES. ASSOCIATION, HOWEVER, MAY SELECT ANYONE IT CHOOSES; WE NOT SPECIFICALLY SUGGESTING YULEE TO EXCLUSION ALL OTHERS.

4. BOA WILLING ALSO PAY AGENT'S FEE FOR ACCOUNT OF REQUESTING FISHING VESSEL. CONSULATE GENERAL AND EMBASSY APPRECIATE LEGAL POSITION OF BOA. THE BANK DOES NOT HAVE PERSONNEL EXPERIENCED IN FIELD OF FISHING LICENSES BUT ON OTHER HAND HAS HAD AMPLE EXPERIENCE WITH CLIENTS WHO READY TO SUE AT DROP OF HAT FOR ALLEGED FINANCIAL LOSSES. SHOULD DELAYS OCCUR IN ISSUE OF LICENSE, IRATE CAPTAIN MAY BLAME AGENT AND INSTITUTE SUIT FOR FISHING LOSSES. EXACT SAME REASONING APPLIED BY U.S.G. WHEN PROHIBITING ITS OFFICIALS FROM ACTING AS AGENT OR IN FIDUCIARY CAPACITY IN PRIVATE TRANSACTIONS.

5. WE SURE ASSOCIATION MEMBERS SEE THIS AS ONE MORE UNNECESSARY EXPENSE AGAINST QUESTIONABLE AMOUNT OF PROFITS. HOWEVER WE SEE NO OTHER CHEAPER WAY FOR OBTAINING LICENSES INCLUDING VESSEL COMING TO PORT WITH LIMITED OFFICIAL USE

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ALL SUBSEQUENT DELAYS AND PORT COSTS. AGENT THE CHEAPEST WAY IN LONG RUN.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FISHING REGULATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 07-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GUAYAQ00035
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770007-0175
Format: TEL
From: GUAYAQUIL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770172/aaaacler.tel
Line Count: 100
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
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Review Release Date: n/a
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Secure: OPEN
Status: NATIVE
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TAGS: EFIS, PFOR, EC
To: STATE
Type: TE
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